

REMARKS

The Advisory Action of August 18, 2006 has been carefully considered and the application has been amended accordingly.

The present response comprises a Request for Continuing Examination (RCE). The required fees are addressed in a separate paper filed herewith.

New claims 20-37 are presented for consideration. Claims 20-25 generally correspond to previously presented claims 1, 4, 6, 8, 18 and 19 but have been amended in an effort to overcome the Examiner's indicated objections. Claims 26 and 32 are newly presented parent claims, each having dependent claims generally corresponding to per se versions of claims 21-25. As amended, applicants believe that the claims define novel and patentable limitations of the structure of the defined implants.

That the surface layer comprises an oxide and/or a phosphate, as defined in new claims 26 and 32, is indicated at page 2 lines 3-5 and page 3 lines 31-35, and production of a phosphate coating is mentioned at page 5 lines 9, 20 and 26. This is slightly more explicit than new claim 20 (former claim 1) in identifying the exact chemical nature of the coating, although applicants believe that forming a coating or layer by anodizing, as specified in former claim 1 and in new claim 20, actually provides a sufficiently clear indication of the nature of the layer, and a clear distinction from all the prior art citations.

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In view of the foregoing amendments and remarks, applicants respectfully submit that the claimed invention patentably distinguishes over the Ogle citation. Further, it is believed that the claims, as amended, define specific structure that defines over the known prior art. Accordingly, reconsideration of the application is requested and allowance of the claims is courteously solicited.

Respectfully submitted,

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I hereby certify that this correspondence is being transmitted by facsimile this day to Examiner Thomas Barrett at the United States Patent and Trademark Office, Art Unit 3738, to fax No. 571-273-8300.
September 1, 2006 *William H. Holt*
Date Signature